THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

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WRIT PETITION NO : 11881 of 1996

19-09-2005

Between:

1 Chitti Appalaswamy S/O. Late Sanyasappadu
Vizianagaram (M) Vizaianagram Dist and others.

..... PETITIONERS

AND

1. The Mandal Revenue Officer, Vizianagaram. And another.

.....RESPONDENTS

THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

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WRIT PETITION NO : 11881 of 1996

O R D E R:

No representation for the petitioner.

Heard the learned counsel for the 2nd respondent and the learned Assistant Government Pleader.

The case of the petitioners is that after their applications for grant of pattas in respect of Ac.5.84 cents in R.S.Nos. 19/1 to 3 and 19/7 to 16 of Malicherla village under the Estate Abolition Act were dismissed, they preferred an appeal to the Director of Survey and Settlements and that the 1st respondent even during the pendency of the said appeal, is trying to evict them and so a direction should be given to the 1st respondent-Mandal Revenue Officer, not to evict them from the aforesaid land till the disposal of the appeal by the Director of Survey and Settlements.

The contention of the learned counsel for the 2nd respondent is that the Director of Survey and Settlements heard the matter and remanded the case to the Settlement Officer, and recently the Settlement Officer after hearing both sides, passed an order on 03-08-2005, granting raitwary pattas to the writ petitioners and that 2nd respondent preferred a revision against that order and so the petition becomes infructuous because as it is petitioners have a patta in their favour.

Since the petitioners are said to have been granted pattas by the Settlement Officer question of the 1st respondent evicting them may not arise and so the writ petition is dismissed as infructous. No costs.

19-09-2005

Mjl/*